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OPER: AML
PAGE: 1
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IN THE CIRCUIT COURT OF HOUSTON

ALABAMA JUDICIAL INFORMATION SYSTEM
CASE ACTION SUMMARY
CIRCUIT CRIMINAL

CASE# CC 2002 001461.60
RUN DATE: 05/18/2004
JUDGE: LKA

STATE OF ALABAMA
CASE# CC 2002 001461.60

VS
STATE BRIAN SCOTT
A#8# 229345
P O BOX 150
MT MEIGS, AL 36057 0150

BORN: 08/30/1966 SEX: M RACE: W HT: 6 00 WT: 160 HRT: BRO EYES: BLU
SSN: 412378463 ALIAS NAMES:

CHARGE01: RULE 32-FELONY CODE01: RULE LIT: RULE 32-FELONY TYP: F #1 001
OFFENSE DATE:

DATE WAR/CAP ISS:
DATE INFLICTED:
DATE RELEASED:
DOWD AMOUNT:

DATE ARRESTED:
DATE FILED: 05/18/2004
DATE HEARING:
SURETIES:

DATE 1: DESC1: TIME1: 0000
DATE 2: DESC2: TIME2: 0000

TRACKING NOS: BC 2002 002191 00 /

DEF/ATY:

Martin Adams
DAWIS, Eric

TYPE1:

(C)

TYPE2:

00000

PROSECUTOR: VALESKA DOUGLAS A

OTH CSE: DC200200219100 CHK/TICKET NO:
COURT REPORTER: SID NO: 000000000
DEF STATUS: JAIL DEMAND: Y GRAND JURY:

OPER: AML

DATE ACTIONS, JUDGEMENTS, AND NOTES

5-17-2004	Order granting filing of In Forma Pauperis Declaration
5-17-2004	Petitioner's Verification under oath subject to penalty for perjury
5-17-2004	Petition for relief from conviction or sentence
5-18-04	<i>no cd deft by mail + DA</i>
5-19-2004	Motion for summary disposition
5/24/04	Rule 32 hearing is set for August 20, 2004 at 9:00 a.m.
5-25-04	<i>no cd deft by mail <i>Jay K. Anderson, Judge</i></i>
5-27-04	<i>Transport order (in file)</i>
5-28-2004	Response to District Attorney's Motion for Summary Disposition
5-28-2004	Amendment to Rule 32 Petition
6-3-04	<i>Amendment granted, Anderson, Judge</i>
6-4-04	<i>No cd Deft by mail + DA</i>
6-8-2004	Motion to appoint counsel
6-11-04	<i>Martin Adams is appointed to represent Defendant</i>
6-14-04	<i>No cd Martin Adams, DA + left mail 2 w/ mail</i>

EXHIBIT

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STATE OF ALABAMA vs BRIAN SCOTT PATE

CC02-1461.60

8/20/04 - Rule 32 hearing continued and reset for October 22, 2004 at 9:00 a.m. Attorney Martin Adams withdraws from case and attorney Eric Davis is appointed.

(8/20/04 N: D.A., ED, MA, Deft)
H.C.J.

Jay K. Anderson, Judge

10-5-04 Transport order.

10-22-04 - Continued for defendant due to attorney's illness. Reset for November 19, 2004 at 9:00 a.m.

11-2-04 Motd Eric Davis,

DA + Deft by mail

Jay K. Anderson, Judge

11-3-04 ORDER TO TRANSPORT IN FILE. N: DA, COURT LIASON (2), ERIC DAVIS, DOC

11-19-04 Based on testimony of attorney Mike Cressi, the Court is reasonably satisfied that Defendant has failed to meet the threshold burden set out in Strickland v. Washington. Rule 32 relief is denied. Eric Davis is allowed to withdraw. *Anderson, Judge*
(12-2-04 N: Deft, ED, DA)

01-10-05 Notice of appeal.

1-19-05 Appeal noted but appears untimely.

Anderson, Judge

2-3-05 Order from CCA dismissing appeal as untimely filed. Certificate of Judgement.